

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOSEPH HERNANDEZ LUNA,

Petitioner,

vs.

JOHN F. SALAZAR, Warden CVSP,
ARNOLD SCHWARZENEGGER,
Governor, et al.,

Respondents.

C 07-5971 MMC(PR)

**ORDER ADMINISTRATIVELY
CLOSING CASE AND
TERMINATING ALL PENDING
MOTIONS**

(Docket No. 3.)

On November 27, 2007, petitioner, a prisoner at Chuckawalla Valley State Prison, and proceeding pro se, filed the above-titled petition for a writ of habeas corpus pursuant to U.S.C. § 2254. He challenges the Governor of California's reversal of a decision by the California Board of Parole Hearings finding petitioner suitable for parole.


The petition is a copy of an earlier petition filed by petitioner in this district on November 14, 2007. See Luna v. Salazar, No. C 07-5761 MMC (PR). On November 27, 2007, the same date on which the instant petition was filed, the Court ordered the earlier petition transferred to the United States District Court for the Central District of California.

The instant action was opened in error when petitioner sent a copy of his earlier petition to the Court. Accordingly, the Clerk of the Court shall ADMINISTRATIVELY CLOSE the case and TERMINATE all pending motions.

Because the action was opened in error, no filing fee is due.

IT IS SO ORDERED.

DATED: December 11, 2007


MAXINE M. CHESNEY
United States District Judge